

* * * gastric disorders and indigestion," was false and fraudulent in that said article contained no ingredients or combination of ingredients capable of producing the effects claimed.

On May 18, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8480. Misbranding of olive oil. U. S. * * * v. 3 Cases of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10416. I. S. No. 12924-r. S. No. E-1441.)

On May 21, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 cases of olive oil, consigned by the Union Olive Oil Co., New York, N. Y., March 5, 1919, remaining in the original and unbroken packages at Boston, Mass., alleging that the article had been transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Olive Oil Lemnos Brand * * * N. S. Monahos * * * New York."

Examination of a representative sample consisting of 33 cans showed an average content of 0.961 gallon, or a shortage in the quantity of contents of 3.9 per cent.

Misbranding of the article was alleged in substance in the libel for the reason that the statement appearing on the cans containing the article, "Net Contents One Gallon," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the said olive oil was food in package form, and the quantity of the contents was not declared.

On May 10, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8481. Misbranding of Mowerys Gonorrhœa Paste. U. S. * * * v. 60 Boxes of Mowerys Gonorrhœa Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10439. I. S. No. 15741-r. S. No. E-1460.)

On May 26, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on September 25, 1919, an amended libel, for the seizure and condemnation of 60 boxes of Mowerys Gonorrhœa Paste, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the Binkley Medicine Co., Dayton, Ohio, on or about December 17, 1918, and transported from the State of Ohio into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of powdered cubebs, copaiba balsam, alum, and magnesia.

Misbranding of the article was alleged in substance in the libel for the reason that certain statements appearing on the wrapper and box label, and in the accompanying circular, regarding the curative and therapeutic effects thereof, to wit, (wrapper) "Mowerys Gonorrhœa Paste A highly valuable and efficient

preparation for the treatment of Gonorrhœa, Gleet, Clap and all discharges peculiar to the urinary organs of no matter how long standing. * * * This preparation is highly valuable in cases of Kidney and Bladder trouble. It will relieve those sharp shooting pains when urinating," (box) "Mowerys Gonorrhœa Paste for man or woman * * *," (circular) "* * * for the treatment of Gonorrhœa, Gleet, Clap and all discharges peculiar to the urinary organs, either acute or chronic. * * * allays irritation or inflammation of the urethra. * * * will be found valuable in cases of Kidney, Bladder and Urinary Troubles; such as highly colored urine, brick dust in urine, stoppage of urine; thick, sluggish or scanty urine, blood or mucous in urine. It also relieves pain or soreness in back when caused by the above disorders. * * *," were false and fraudulent in that the article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On October 15, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8482. Misbranding of "3 Days" Cure for Men. U. S. * * * v. 5 Dozen Bottles of "3 Days" Cure for Men and 60 Envelopes * * * Capsules, and 3½ Dozen Bottles of "3 Days" Cure for Men and 39 Envelopes * * * Capsules. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10521, 10522. I. S. Nos. 16393-r, 16390-r. S. Nos. E-1511, E-1499.)

On June 7, 1919, the United States attorney for the Western District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 5 dozen bottles of "3 Days" Cure for Men and 60 envelopes of capsules, at Greensboro, N. C., and 3½ dozen bottles of "3 Days" Cure for Men and 39 envelopes of capsules, at Charlotte, N. C., remaining in the original unbroken packages, alleging that the articles had been shipped by the "3 Days" Cure Co., Washington, D. C., on or about February 14, 1919, and October 18, 1918, respectively, and transported from the District of Columbia into the State of North Carolina, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the contents of the bottles taken from each shipment consisted essentially of zinc sulphate and borax, and zinc sulphate, borax, and thymol, respectively, and that the contents of the capsules consisted of powdered cubebs and copaiba.

Misbranding of the articles was alleged in substance in the libels for the reason that certain statements appearing on the wrapper and bottle label, and in the accompanying circular, regarding the curative and therapeutic effects thereof, to wit, (wrapper) "The '3 Days' Cure for Men, a prompt and reliable remedy for Gonorrhœa and Gleet. Combines internal and local treatment, suited to all cases. Can never do harm. * * *," (bottle) "The '3 Days' Cure for Men. * * *," (circular) "* * * This treatment applies to other forms of inflammation with discharge which may appear in the urethral canal, * * *," were false and fraudulent in that the articles contained no ingredients or combination of ingredients capable of producing the effects claimed.

On February 6, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*